

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**Holding a Criminal Term**

**Grand Jury Sworn in on August 11, 2021**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO.</b>
	:	
<b>v.</b>	:	<b>MAGISTRATE NO. 21-MJ-536</b>
	:	
<b>JAMES RUSSELL DAVIS,</b>	:	<b>VIOLATIONS:</b>
	:	<b>18 U.S.C. § 231(a)(3)</b>
<b>Defendant.</b>	:	<b>(Civil Disorder)</b>
	:	<b>18 U.S.C. § 1752(a)(1)</b>
	:	<b>(Entering and Remaining in a Restricted</b>
	:	<b>Building or Grounds)</b>
	:	<b>18 U.S.C. § 1752(a)(2)</b>
	:	<b>(Disorderly and Disruptive Conduct in a</b>
	:	<b>Restricted Building or Grounds)</b>
	:	<b>18 U.S.C. § 1752(a)(4)</b>
	:	<b>(Engaging in Physical Violence in a</b>
	:	<b>Restricted Building or Grounds)</b>
	:	<b>40 U.S.C. § 5104(e)(2)(D)</b>
	:	<b>(Disorderly Conduct in a Capitol Building)</b>
	:	<b>40 U.S.C. § 5104(e)(2)(F)</b>
	:	<b>(Act of Physical Violence in the Capitol</b>
	:	<b>Grounds or Buildings)</b>
	:	

**INDICTMENT**

The Grand Jury charges that:

**COUNT ONE**

On or about January 6, 2021, within the District of Columbia, **JAMES RUSSELL DAVIS**, committed and attempted to commit an act to obstruct, impede, and interfere with a law enforcement officer, that is, officers from the United States Capitol Police Department and the Metropolitan Police Department, lawfully engaged in the lawful performance of his/her official

duties incident to and during the commission of a civil disorder, and the civil disorder obstructed, delayed, and adversely affected the conduct and performance of a federally protected function.

**(Civil Disorder, in violation of Title 18, United States Code, Section 231(a)(3))**

**COUNT TWO**

On or about January 6, 2021, within the District of Columbia, **JAMES RUSSELL DAVIS**, did knowingly enter and remain in a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, without lawful authority to do so.

**(Entering and Remaining in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(1))**

**COUNT THREE**

On or about January 6, 2021, within the District of Columbia, **JAMES RUSSELL DAVIS**, did knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, engage in disorderly and disruptive conduct in and within such proximity to, a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, when and so that such conduct did in fact impede and disrupt the orderly conduct of Government business and official functions.

**(Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(2))**

**COUNT FOUR**

On or about January 6, 2021, within the District of Columbia, **JAMES RUSSELL DAVIS**, did knowingly, engage in any act of physical violence against any person and property in a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area

within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting.

**(Engaging in Physical Violence in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(4))**

**COUNT FIVE**

On or about January 6, 2021, within the District of Columbia, **JAMES RUSSELL DAVIS**, willfully and knowingly engaged in disorderly and disruptive conduct within the United States Capitol Grounds and in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress and either House of Congress, and the orderly conduct in that building of a hearing before or any deliberation of, a committee of Congress or either House of Congress.

**(Disorderly Conduct in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(D))**

**COUNT SIX**

On or about January 6, 2021, within the District of Columbia, **JAMES RUSSELL DAVIS**, willfully and knowingly engaged in an act of physical violence within the United States Capitol Grounds and any of the Capitol Buildings.

**(Act of Physical Violence in the Capitol Grounds or Buildings, in violation of Title 40, United States Code, Section 5104(e)(2)(F))**

A TRUE BILL:

FOREPERSON.

A handwritten signature in black ink, appearing to read "Chauncey D. Phillips" followed by a stylized mark.

Attorney of the United States in  
and for the District of Columbia.